

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

**UNITED STATES OF AMERICA**

)

)

**VS.**

)

**CRIMINAL NO. 2:05-CR-119-F**

)

**DON EUGENE SIEGELMAN,  
PAUL MICHAEL HAMRICK,  
GARY MACK ROBERTS, and  
RICHARD M. SCRUSHY.**

)

)

)

**ROBERTS' OBJECTIONS TO GOVERNMENT EXHIBITS**

Comes now Mack Roberts, by and through his undersigned counsel and hereby objects to the following exhibits. In doing so, Roberts expressly reserves the right to object to foundation, predicate and the lack of the proper person to authenticate the Government's exhibits at trial.

1. Roberts objects to Government Exhibit 70. The Exhibit lists identifies Exhibit 70 as "Siegelman Campaign Acct." In the exhibits provided to Roberts there is no Exhibit 70. The exhibit following Exhibit 69 is Exhibit 70a.
2. Roberts objects to Government Exhibit 75. The Exhibit is listed as "Rainline Amended Sales Agreement." However, the exhibit includes both the Sales Agreement and the Amended Agreement. Furthermore, the Amended Agreement as provided by the Government is incomplete and missing the final signature page.
3. Roberts objects to Government Exhibit 83. The Exhibit is a newspaper article which contains hearsay statements from persons not included in the Government's witness

list. It also contains topics concerning activities which the Government itself has filed a Motion in Limine to exclude (i.e. political motivations for the actions made the basis of the indictment.) Finally, it contains statements of the defendants which are inadmissible under the rules of evidence as they are out of court statements, offered to prove the truth of the matter and they are not admissions.

4. Roberts objects to Government Exhibit 88b. The exhibit in its present form includes a Grand Jury Exhibit sticker in addition to the exhibit sticker for the current trial. In addition, it includes the handwritten notation "GJ 146" at the top of the exhibit. The additional sticker and notation are prejudicial and should be removed.

Respectfully submitted,

/s/ David McKnight  
David McKnight  
Attorney for Mack Roberts  
Baxley, Dillard, Dauphin, McKnight & Barclift  
2008 Third Avenue South  
Birmingham, AL 35233  
(205)271-1100

#### **CERTIFICATE OF SERVICE**

I hereby certify that on April 17, 2006, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all counsel of record.

/s/ David McKnight  
Of Counsel